

NOTICE OF INTENT

Department of Environmental Quality
Office of Environmental Assessment
Environmental Planning Division

Under the authority of the Environmental Quality Act, R.S. 30:2001 et seq., and in accordance with the provisions of the Administrative Procedure Act, R.S. 49:950 et seq., the secretary gives notice that rulemaking procedures have been initiated to amend the Air Quality regulations, LAC 33:III.207, 209, 211, and 223 (Log #AQ195).

The purpose of this proposed rule is to incorporate fees for industry categories not previously in the Fee Schedule, but for which fees have previously been established under the negotiated fee procedures of the fee regulations. The rule change also includes changes in wording to make existing regulations easier to interpret. The changes will not increase any fee paid but should make the fee regulations easier to read and understand. The basis and rationale for this rule are to make the regulations easier to understand and implement. These changes are being made to address part of the fee regulations that the department and external users of the fees have found difficult to understand.

This proposed rule meets an exception listed in R.S. 30:2019 (D) (3) and R.S.49:953 (G) (3); therefore, no report regarding environmental/health benefits and social/economic costs is required. This proposed rule has no known impact on family formation, stability, and autonomy as described in R.S. 49:972.

A public hearing will be held on October 25, 1999, at 1:30 p.m. in the Trotter Building, Second Floor, 7290 Bluebonnet Boulevard, Baton Rouge, LA 70810. Interested persons are invited to attend and submit oral comments on the proposed amendments. Should individuals with a disability need an accommodation in order to participate, contact Patsy Deaville at the address given below or at (225) 765-0399.

All interested persons are invited to submit written comments on the proposed regulations. Commentors should reference this proposed regulation by AQ195. Such comments must be received no later than November 1, 1999, at 4:30 p.m., and should be sent to Patsy Deaville, Regulation Development Section, Box 82178, Baton Rouge, LA 70884-2178 or to FAX (225) 765-0486. Copies of this proposed regulation can be purchased at the above referenced address. Contact the Regulation Development Section at (225) 765-0399 for pricing information. Check or money order is required in advance for each copy of AQ195.

This proposed regulation is available for inspection at the following DEQ office locations from 8 a.m. until 4:30 p.m.: 7290 Bluebonnet Boulevard, Fourth Floor, Baton Rouge, LA 70810; 804 Thirty-first Street, Monroe, LA 71203; State Office Building, 1525 Fairfield Avenue, Shreveport, LA 71101; 3519 Patrick Street, Lake Charles, LA 70605; 3501 Chateau Boulevard, West Wing, Kenner, LA 70065; 100 Asma Boulevard, Suite 151, Lafayette, LA 70508; 104 Lococo Drive, Raceland, LA 70394 or on the Internet at <http://www.deq.state.la.us/planning/regs/index.htm>.

James H. Brent, Ph.D.
Assistant Secretary

Title 33
ENVIRONMENTAL QUALITY
Part III.Air

Chapter 2. Rules and Regulations for the Fee System of the Air Quality Control Programs

§207. Application Fees

~~Each application or amendments thereto for which a fee is prescribed shall be accompanied by a remittance in the full amount of the fee. No application or amendments thereto shall be accepted or processed prior to payment of the full amount specified a permit fee. No permit, license, registration, or variance, unless otherwise authorized by the secretary, shall be issued until the full amount of the fee has been paid and such check or draft has been accepted by the bank or drawee and the department's account has been credited with the amount of the fee.~~

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended LR 14:610 (September 1988), LR 19:1373 (October 1993), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:****

§209. Annual Fees

All parties conducting activities for which an annual fee is provided shall be subject to the payment of such fee by the due date indicated on the invoice. The annual fees are based on a state fiscal year from July 1 to June 30.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended LR 14:611 (September 1988), LR 19:1373 (October 1993), amended by the Office of Management and Finance, Fiscal Services Division, LR 22:17 (January 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:****

§211. Methodology

A. Formula to Apportion Fees

Air Toxics <u>Permit</u> Application Fee (based on type of facility and on rated production capacity/throughput)	Surcharge of 10% of the <u>permit</u> application fee <u>to be charged when there is an increase in air toxics emissions above the Minimum Emission Rates (MER) listed in LAC 33:III.5112.Table 51.1</u>
Air Toxics Annual Emission Fee (based on Air Toxic Pollutants emitted)	Variable

Annual Maintenance Fee (based on type of facility and on rated production capacity/throughput)	Variable
New Application Fee (based on type of facility and on rated production capacity/throughput)	Variable
Major and Minor Modification Modified Permit Fee (based on type of facility and on rated production capacity/throughput)	Variable
PSD Application Fee (based on type of facility and on rated production capacity/throughput)	Surcharge of 50% of the application fee <u>when a PSD permit application is being processed</u>
"NESHAP" Maintenance Fee (based on type of facility and on rated production capacity/throughput)	Surcharge of 25% of the Annual Maintenance Fee for that particular process/plant <u>to be added to the Annual Maintenance Fee</u>
"NSPS" Maintenance Fee (based on type of facility and on rated production capacity/throughput)	Surcharge of 25% of the permit application fee <u>to be charged for any permit application that includes the addition of new equipment subject to NSPS regulation</u>

* * *

[See Prior Text in B]

1. All persons required to obtain a new or modified permit shall be subject to a permit fee (see fee schedule). This fee shall be submitted with any application for a new or modified permit. The annual maintenance fee for a new or modified source shall be paid during the fiscal year in which the process specified in the permit comes on line. fees required by this Chapter are listed in LAC 33:III.223, Fee Schedule Listing, which shall be referred to as the *Fee Schedule* in the remainder of this Chapter. All persons required to obtain a new or modified permit shall be subject to a permit application fee (see Fee Schedule). This fee shall be submitted with any application for a new or modified permit. The annual maintenance fee for a new or modified source shall be paid during the fiscal year (July 1 to June 30) in which the process specified in the permit comes on line.

2. The Standard Industrial Classification (SIC) codes listed in the Fee Schedule shall be used to assist in the determination of the proper fees to assess fees.

3. The permit fee for ~~multiple source permits~~ sources or facilities with multiple processes shall be equal to the total amounts required by the individual processes involved, as listed in the ~~Table~~ Fee Schedule, unless the entire facility is covered by a single fee category.

* * *

[See Prior Text in B.4-5]

6. If a process is not listed in the Fee Schedule and is not a source type exempted from fees by this regulation, then the department shall assign a fee based on the most similar processes in the Fee Schedule and negotiated separately. If a process or facility is specifically listed in the Fee Schedule, then the fee cannot be negotiated. The ~~Air Quality Division (AQD)department~~ shall analyze each permit request to determine the number of processes involved and the permit fee associated with each.

7. Annually, the ~~Air Quality Division (AQD)department~~ shall reevaluate the ~~permit fee schedule~~ based upon the previous fiscal year's reasonable costs involved in the operation of the permit system and submit such revised schedule to the secretary for approval.

8. ~~A permit fee exempt list shall be presented to the administrative authority annually for approval. The permit fee exempt list shall be in the offices of the Air Quality Division and shall be available for public inspection. Any person may request permit fee exemption for a source class by application to the administrative authority. Sources listed in the permit fee exempt list shall be exempt from the permit fee (Fee Schedule) and from having to obtain a permit. The administrative authority may grant initial approval and denial of the class exemption pending consideration by the administrative authority. No Part 70 source shall be exempt under this Chapter except any affected unit under 40 CFR 70.9(b)(4).~~

~~9.~~ When a company withdraws its application and claims refund for the permit fee, no refund shall be made if the review of the application is essentially completed at the time of withdrawal. However, up to 50 percent refund may be made when the review has been initiated, but is not essentially completed.

~~10.~~ Annual maintenance fees (AMF) are not prorated. If a facility operates any part of a year or at a reduced rate during the year, the full annual maintenance fee is still charged. In order for the annual maintenance fee to be cancelled, the facility must not operate at all during the year and the permit to operate for the facility must be cancelled and/or changes must be made to the process or facility in order to make the process or facility not subject to regulation by the department. ~~This action~~The cancellation of the permit wouldshall require that a new permit be issued before the facility could be operated again. Failure to pay the annual maintenance fee will cause the permit for the facility covered by the fee to be cancelled.

~~11.~~ When a permanent shutdown occurs and a company properly notifies the ~~Air Quality Division~~department, by official change in the Emission Inventory Questionnaire (EIQ) and permit, then the maintenance fee would be dropped for that shutdown portion of the process/plant in the appropriate fiscal year only if that portion of the process/plant does not operate at any time during that fiscal year. This fee reduction or cancellation shall apply only in the fiscal years in which the shutdown portion of the plant or process did not operate at all. The EIQ and permit shall also need to be changed to delete the emissions from the shutdown portion of the plant or process before the start of the fiscal year in which the fee would have been charged.

~~12.~~ For most fees listed in these regulations, the minor modification fee is equal to the annual maintenance fee (AMF). The major modification fee is three times the AMF, and the new application fee is five times the AMF. Minimum and maximum permit fees shall apply to all categories that have minimum and maximum AMF according to the following table.

Permit Fees	Minimum	Maximum
Minor modification	min. AMF	max. AMF

Major modification	3 x min. AMF	3 x max. AMF
New application	5 x min. AMF	5 x max. AMF

If the above ratio was not used to establish the major modification and new application fees for a category, then the actual ratio of major modification and new application fee to AMF shall be used.

~~1312.~~ NSPS fees may be waived when a PSD application fee is imposed.

~~1413.~~ The ~~AQD administrator and staff~~ department ~~will~~shall determine the type of fee. This determination ~~will~~shall be based on the work load created by the permit application and shall be determined based on the factors described as follows:

a. New ~~a~~Application fFee, ~~(based on new capacity or incremental capacity)~~
The new application fee shall be based on the new capacity when a new process or operation is added or the incremental increase in capacity when the capacity is increased by more than 80 percent. It applies when:

- i. a new facility is added;
- ii. a new operation in an existing facility is added; and
- iii. an existing operation is expanded by more than 80 percent in

capacity.

b. Major ~~m~~Modification fFee, ~~(based on existing capacity)~~ The major modification fee shall be based on the existing capacity when the capacity is increased by more than 40 percent and less than 80 percent. The applicant has the option to choose to base the major modification fee on the incremental capacity increase and using the new permit application rate in cases where the incremental increase is small compared to the existing capacity. In that case, the applicant can choose the smaller fee as long as it is larger than the minimum major modification fee listed for the category. In all cases, the minimum amount of the fee would be equal to or greater than the minimum major modification fee for the category. The major modification fee applies when:

- i. the modification will trigger PSD review;
- ii. the modification would have triggered PSD review without the use of contemporaneous emission reductions or banked emissions;
- iii. the modification will increase emissions by 25 tons/yr. year or more of nonattainment pollutant;
- iv. the modification will increase emissions by more than 10 tons/year of an individual toxic air pollutant/25 tons/year of total toxics air pollutants;
- v. the modification will change emissions over 100 tons/yr. year of a criteria pollutant for which the standard has been attained; and
- ~~v~~vi. the modification will increase capacity of an existing operation at least by 40 percent and less than 80 percent.

c. Minor ~~m~~Modification fFee. The minor modification fee (based on existing capacity) applies when a modification is not qualified under new application fee or major modification fee. The minor modification fee shall be based on the existing capacity when the capacity is increased by less than 40 percent. The applicant has the option to choose to base the minor modification fee on the incremental capacity increase and using the new permit application rate in cases where the incremental increase is small compared to the existing capacity. In that case, the applicant can choose the smaller fee as long as it is larger than the minimum minor

modification fee listed for the category. In all cases, the minimum amount of the fee would be equal to or greater than the minimum minor modification fee for the category.

d. If a permit modification is such that it does not increase capacity and changes emissions by less than 25 tons/year; of all nonattainment pollutants, by less than 10 tons/year of an individual toxic air pollutant, by less than 25 tons/year of total toxic air pollutants, and by less than 100 tons/year of all other criteria (attainment) pollutants, then the permit fee can shall be charged equal to the minimum minor modification permit fee for each fee process category involved.

e. Fee Schedule. LAC 33:III.223 does not list a minimum minor modification fee for many fee categories. The minimum minor modification fee for these categories shall be determined as follows:

i. calculate 25 percent of the minor modification fee for the category:

ii. if the calculated fee is greater than \$200, then use that amount as the minimum minor modification fee; and

iii. if the calculated fee is less than \$200, then use \$200 as the minimum minor modification fee, unless the minor modification fee is less than \$200. If the minor modification fee is less than \$200, then the minimum minor modification fee would be equal to the minor modification fee.

f. Small Source Permit. The small source permit, as defined by LAC 33:III.503.B.2, applies when a permitted source is not a major source. The permitted source must also emit and have the potential to emit less than 25 tons/year of any regulated pollutant.

~~1514.~~ Air Toxics Annual Emission Fees shall be assessed based on actual annual emissions which that occurred during the previous calendar year.

~~1615.~~ For permits issued under LAC 33:III.507 (Title V permits) the following applies:

a. no application fee shall be charged for the initial permit provided no modifications are being made at the facility; and

b. no application fee shall be charged for renewals of permits issued provided no modifications are being made at the facility.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended LR 14:611 (September 1988), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:1205 (December 1991), LR 18:706 (July 1992), LR 19:1373 (October 1993), LR 19:1419 (November 1993), amended by the Office of Management and Finance, Fiscal Services Division, LR 22:17 (January 1996), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:****

§223. Fee Schedule Listing

FEE SCHEDULE LISTING						
Fee Number	Air Contaminant Source	SICC	Annual Maintenance Fee	New Permit Application	Modified Permit Fees	
					Major	Minor
* * *						
[See Prior Text in Fee Number 0010]						
<u>0015</u> <u>*Note 20*</u>	<u>Iron Ore Processing per Million Dollars in Capital Cost</u>	<u>1011</u>	<u>40.00</u>	<u>200.00</u>	<u>120.00</u>	<u>40.00</u>
* * *						
[See Prior Text in Fee Numbers 0020-0030]						
0040	Crude Oil and Natural Gas Production (Less than 100-249 T/Yr Source)	1311	114.00 <u>68.00</u>	573.00 <u>340.00</u>	344.00 <u>204.00</u>	114.00 <u>68.00</u>
0041	Crude Oil and Natural Gas Production (<u>equal to or greater than 100 T/Yr and less than 250-499</u> T/Yr Source)	1311	354.00 <u>114.00</u>	1769.00 <u>573.00</u>	1061.00 <u>344.00</u>	354.00 <u>114.00</u>
0042	Crude Oil and Natural Gas Production Greater than 250 T/Yr to 500 T/Yr Source	1311	589.00 <u>354.00</u>	2358.00 <u>1769.00</u>	1769.00 <u>1061.00</u>	589.00 <u>354.00</u>
<u>0043</u>	<u>Crude Oil and Natural Gas Production Greater than 500 T/Yr Source</u>	<u>1311</u>	<u>589.00</u>	<u>2358.00</u>	<u>1769.00</u>	<u>589.00</u>
* * *						
[See Prior Text in Fee Numbers 0050-0770]						
<u>0773</u>	<u>Fiberglass Swimming Pools</u>	<u>NA</u>	<u>201.00</u>	<u>1003.00</u>	<u>602.00</u>	<u>201.00</u>
* * *						
[See Prior Text in Fee Numbers 0775-1190]						
<u>1193</u>	<u>Commercial Laundry, Dry Cleaning, and Pressing Machines</u>	<u>3582</u>	<u>429.00</u>	<u>2148.00</u>	<u>1290.00</u>	<u>429.00</u>
* * *						
[See Prior Text in Fee Numbers 1195-1521]						

FEE SCHEDULE LISTING						
Fee Number	Air Contaminant Source	SICC	Annual Maintenance Fee	New Permit Application	Modified Permit Fees	
					Major	Minor
<u>1525</u>	<u>Sanitary Landfill per Million Mg of Planned Capacity</u>	<u>4953</u> <u>MIN</u>	<u>100.00</u> <u>200.00</u>	<u>500.00</u> <u>1000.00</u>	<u>300.00</u> <u>600.00</u>	<u>100.00</u> <u>200.00</u>
* * *						
[See Prior Text in Fee Numbers 1530-1590]						
1600	Floating Bulk Loader: A) Over 100,000 Ton/Yr Throughput	5153	2864.00	14327.00	8596.00	2864.00
<u>1610</u> <u>*Note</u> <u>14a*</u>	Floating Bulk Loader: B) Less than or equal to 100,000 or Less and more than 25,000 Ton/Yr Throughput	5153	1433.00	7163.00	4298.00	1433.00
<u>1611</u> <u>*Note</u> <u>14a*</u>	Dry Bulk Transfer Derrick Crane Barge Up to 25% Annual Grain Transfer <u>Bulk Loader: 25,000 Ton/Yr or Less Throughput</u>	5153	816.00	4082.00	2449.00	816.00
<u>1612</u> <u>*Note</u> <u>14a*</u>	Dry Bulk Transfer Derrick Crane Barge <u>Bulk Loader - No Grain or Dusty Materials Transfer</u>	5153	544.00	2721.00	1632.00	544.00
* * *						
[See Prior Text in Fee Numbers 1620-1720]						
<u>1722</u>	<u>Small Source Permit</u>	<u>N/A</u>	<u>108.00</u>	<u>540.00</u>	<u>324.00</u>	<u>108.00</u>

Additional Fees		
Fee Number	Fee Description	Amount
2000	Company Name Change and/or Transfer <u>Company Ownership/Operator Change or Name Change of an Existing Permit</u>	113.00
2010	<u>The Issuance or Denial of Relocation, Administrative Amendments, Variances, Authorization to Construct, Change of Tank Service, Research & Development, and Exemptions</u>	226.00
<u>2015 *Note 15*</u>	<u>The Issuance or Denial of Relocation, Administrative Amendments, Variances, Authorization to Construct, Change of Tank Service, Research & Development, and Exemptions for Small Business Sources</u>	<u>108.00</u>

Additional Fees		
Fee Number	Fee Description	Amount
	*** [See Prior Text in Fee Numbers 2020-2914]	

Explanatory Notes for Fee Schedule

* * *

[See Prior Text in Note 1-12]

Note 13. Fees will be determined by aggregating actual annual emissions of each class of toxic air pollutants (as delineated in LAC 33:III.Chapter 51.Table 51.1) for a facility and applying the appropriate fee schedule for that class. Fees shall not be assessed for emissions of a single toxic air pollutant over and above 4,000 tons per year from a facility. The minimum fee for this category shall be \$100.

Note 14. Fees will not be assessed for emissions of a single criteria pollutant over and above 4,000 tons per year from a facility. Criteria fees will be assessed on actual annual emissions which occurred during the previous calendar year. The minimum fee for this category shall be \$100.

Note 14a. The throughput of these categories shall be based on the amount of grain or other materials that are known to produce significant amounts of particulate emissions. The determination of which materials or grains are considered as dusty materials is based on the material having similar emission factors to grain or having similar properties that can be used to estimate potential emissions.

* * *

[See Prior Text in Note 15]

Note 16. The choice of which pProgram level applies is based on the highest level assigned to any process at the facility that applies at any time during the state fiscal year for which the invoice is being prepared (Program 3 being the highest). This annual maintenance fee is charged based on a state fiscal year from July to June.

* * *

[See Prior Text in Notes 17-Processing Timelines Table]

Note 20. This fee category applies to facilities that use a direct reduction process to process iron ore. The fees are based on the capital cost of the facility. In determination of fees for this fee category, the capital cost shall be used in the same

manner as the capacity in other fee categories.

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2054, 30:2341 and 30:2351 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Office of Air Quality and Nuclear Energy, Air Quality Division, LR 13:741 (December 1987), amended LR 14:613 (September 1988), LR 15:735 (September 1989), amended by the Office of Air Quality and Radiation Protection, Air Quality Division, LR 17:1205 (December, 1991), repromulgated LR 18:31 (January 1992), amended LR 18:706 (July 1992), LR 18:1256 (November 1992), LR 19:1373 (October 1993), LR 19:1420 (November 1993), LR 19:1564 (December 1993), LR 20:421 (April 1994), LR 20:1263 (November 1994), LR 21:22 (January 1995), LR 21:782 (August 1995), LR 21:942 (September 1995), repromulgated LR 21:1080 (October 1995), amended LR 21:1236 (November 1995), LR 23:1496 (November 1997), LR 23:1499 (November 1997), LR 23:1662 (December 1997), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 25:****.

FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES

LOG #:AQ195

Person
Preparing
Statement:

Atly Brasher

Dept.:

Environmental Quality

Phone:

225-765-0100

Office:

Environmental Assessment

Return
Address:

P.O. Box 82135

Rule
Title:

Air Fee Revisions

Baton Rouge, LA 70884

Date Rule
Effective: Upon Promulgation

SUMMARY
(Use complete sentences)

In accordance with Section 953 of Title 49 of the Louisiana Revised Statutes, there is hereby submitted a fiscal and economic impact statement on the rule proposed for adoption, repeal or amendment. THE FOLLOWING STATEMENTS SUMMARIZE ATTACHED WORKSHEETS, I THROUGH IV AND WILL BE PUBLISHED IN THE LOUISIANA REGISTER WITH THE PROPOSED AGENCY RULE.

I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There will be no increase or decrease in cost to state or local governmental units.

II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)

There will be no effect on revenue collection for state and local governmental units.

III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)

There will be no costs or economic benefits to directly affected persons or nongovernmental groups.

IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)

There will be no effect on competition and employment.

Signature of Agency Head or Designee

James H. Brent, Asst. Secretary

Typed Name and Title of Agency Head or Designee

Date of Signature

LEGISLATIVE FISCAL OFFICER OR DESIGNEE

Date of Signature

**FISCAL AND ECONOMIC IMPACT STATEMENT
FOR ADMINISTRATIVE RULES**

The following information is requested in order to assist the Legislative Fiscal Office in its review of the fiscal and economic impact statement and to assist the appropriate legislative oversight subcommittee in its deliberations on the proposed rule.

- A. Provide a brief summary of the content of the rule (if proposed for adoption or repeal) or a brief summary of the change in the rule (if proposed for amendment). Attach a copy of the notice of intent and a copy of the rule proposed for initial adoption or repeal (or, in the case of a rule change, copies of both the current and proposed rules with amended portions indicated).

The purpose of the rule change is to incorporate fees for industry categories that were not previously in the Fee Schedule. These fees have been established previously under the negotiated fee procedures of the fee regulations. The rule change also includes changes in wording to make existing regulations easier to interpret. The changes will not increase any fee paid but should make the fee regulation easier to read and understand.

- B. Summarize the circumstances which require this action. If the action is required by federal regulations, attach a copy of the applicable regulation.

These changes are being made to make the regulations easier to understand and implement. They address the part of the fee regulations that DEQ and external users of the fees have found difficult to understand.

- C. Compliance with Act II of the 1986 First Extraordinary Session

- (1) Will the proposed rule change result in any increase in the expenditure of funds? If so, specify amount and source of funding.

There will be no increase in the expenditure of funds.

- (2) If the answer to (1) above is yes, has the Legislature specifically appropriated the funds necessary for the associated expenditure increase?

(a) _____ Yes. If yes, attach documentation.

(b) _____ No. If no, provide justification as to why this rule change should be published at this time.

This section is not applicable.

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

I. A. COSTS OR SAVINGS TO STATE AGENCIES RESULTING FROM THE ACTION PROPOSED.

1. What is the anticipated increase (decrease) in costs to implement the proposed action?

COSTS	FY 99-00	FY 00-01	FY 01-02
PERSONAL SERVICES			
OPERATING EXPENSES			
PROFESSIONAL SERVICES			
OTHER CHARGES			
EQUIPMENT			
TOTAL	0	0	0
MAJOR REPAIR & CONSTR.	0	0	0
POSITIONS (#)	0	0	0

2. Provide a narrative explanation of the costs or savings shown in "A.1.", including the increase or reduction in workload or additional paperwork (number of new forms, additional documentation, etc.) anticipated as a result of the implementation of the proposed action. Describe all data, assumptions, and methods used in calculating these costs.

There will be no increase (decrease) in costs.

3. Sources of funding for implementing the proposed rule or rule change.

SOURCE	FY 99-00	FY 00-01	FY 01-02
STATE GENERAL FUND			
AGENCY SELF-GENERATED			
DEDICATED			
FEDERAL FUNDS			
OTHER (Specify)			
TOTAL	0	0	0

4. Does your agency currently have sufficient funds to implement the proposed action? If not, how and when do you anticipate obtaining such funds?

There will be no increase in costs to implement changes.

B. COST OR SAVINGS TO LOCAL GOVERNMENTAL UNITS RESULTING FROM THE ACTION PROPOSED.

1. Provide an estimate of the anticipated impact of the proposed action on local governmental units, including adjustments in workload and paperwork requirements. Describe all data, assumptions and methods used in calculating this impact.

There will be no impact on local governmental units as a result of this action.

2. Indicate the sources of funding of the local governmental unit which will be affected by these costs or savings.

This section is not applicable.

FISCAL AND ECONOMIC IMPACT STATEMENT
WORKSHEET

II. EFFECT ON REVENUE COLLECTIONS OF STATE AND LOCAL GOVERNMENTAL UNITS.

A. What increase (decrease) in revenues can be anticipated from the proposed action?

REVENUE INCREASE/DECREASE	FY 99-00	FY 00-01	FY 01-02
STATE GENERAL FUND			
AGENCY SELF-GENERATED			
RESTRICTED FUNDS*			
FEDERAL FUNDS			
LOCAL FUNDS			
TOTAL	0	0	0

* Specify the particular fund being impacted.

B. Provide a narrative explanation of each increase or decrease in revenues shown in "A". Describe all data, assumptions, and methods used in calculating these increases or decreases.

There will be no increase or decrease in revenues as a result of this rule change.

FISCAL AND ECONOMIC IMPACT STATEMENT

WORKSHEET

III. COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS

- A. What persons or nongovernmental groups would be directly affected by the proposed action? For each, provide an estimate and a narrative description of any effect on costs, including workload adjustments and additional paperwork (number new forms, additional documentation, etc.), they may have to incur as a result of the proposed action.

This will apply to all facilities that pay fees related to air pollution emissions. These changes should make the regulations easier to understand and should not change the fees that any affected person or nongovernmental group must pay.

- B. Also provide an estimate and a narrative description of any impact on receipts and/or income resulting from this rule change to these groups.

There will be no impact on receipts and/or income for affected persons or nongovernmental groups.

IV. EFFECTS ON COMPETITION AND EMPLOYMENT

Identify and provide estimates of the impact of the proposed action on competition and employment in the public and private sectors. Include a summary of any data, assumptions and methods used in making these estimates.

These regulation changes will not have any effects on competition and employment.